

Whereas, The National Guard Units form the major portion of the Armed Services in World War II; and,

Whereas, The actions of these few employers have caused enlistment to the National Guard to be critically curtailed,

Now Therefore Be It Resolved By the Senate of Texas that the Senate condemn such practices by employers as unpatriotic, and unTexan, and appeals to the patriotism of all real Texas employers to not deny members of the National Guard employment for the reason of their belonging to the Guard.

PARKHOUSE  
CARTER  
RUSSELL  
WAGONSELLER.

The resolution was read.

On motion by Senator Parkhouse, and by unanimous consent, the resolution was considered immediately and was adopted.

#### House Resolution on First Reading

The following resolution, received from the House today, was read first time and referred to the committee indicated:

H. C. R. No. 13—To Committee on Rules.

#### Message From the Governor

The following message, received from the Governor today, was read and referred to the Committee on Nominations of the Governor:

Austin, Texas,  
January 22, 1951.

To the Senate of the Fifty-Second Legislature:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

To be Labor Commissioner for two-year term, M. B. Morgan of Denison, Grayson County;

To be Secretary of State for two-year term, John Ben Shepperd of Gladewater, Gregg County;

To be Adjutant General for two-year term, Major General K. L. Berry of Denton, Denton County;

To be Assistant Adjutant General, Brig. General William H. Martin of Houston, Harris County;

To be member of the Highway Commission for six-year term to expire February 15, 1957, and Chairman for term beginning February 16, 1951, E. H. Thornton, Jr., of Galveston, Galveston County.

Respectfully submitted,  
ALLAN SHIVERS,  
Governor of Texas.

#### Messages From Governor Referred

The messages received from the Governor dated January 10, 1951, January 11, 1951, and January 15, 1951, which had previously been read and held pending the appointment of Standing Committees were referred to the Committee on Nominations of the Governor by the President.

#### Adjournment

On motion of Senator Hardeman, the Senate at 11:00 o'clock a. m. adjourned until 10:30 o'clock a. m. tomorrow.

#### SEVENTH DAY

(Tuesday, January 23, 1951)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Lock
Ashley	Martin
Bell	McDonald
Bullock	Moffett
Carney	Nokes
Carter	Parkhouse
Colson	Phillips
Corbin	Russell
Fuller	Shofner
Hardeman	Strauss
Hudson	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Wagonseller
Lane	Weinert

#### Absent—Excused

Bracewell	Moore
Hazlewood	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

**Leaves of Absence**

Senator Moore was granted leave of absence for today on account of important business on motion of Senator Martin.

Senator Bracewell was granted leave of absence for today on account of illness on motion of Senator Shofner.

Senator Hazlewood was granted leave of absence for today on account of important business on motion of Senator Moffett.

**Message From the House**

Hall of the House of Representatives,  
Austin, Texas,  
January 23, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 14, Designating the first week in April as "Texas Industrial Week."

Respectfully submitted,  
CLARENCE JONES,  
Chief Clerk, House of Representatives.

**Senate Resolution 18**

Senator Aikin offered the following resolution:

Whereas, Mr. Eldon Ellis of Paris, Texas, is a visitor at the Capitol; and  
Whereas, Mr. Ellis is an outstanding citizen of this State and a leader in his community;

Now, Therefore, Be It Resolved, That Mr. Ellis, his wife and son, be extended the privileges of the floor for today.

The resolution was read and was adopted.

**Notice of Executive Session**

On motion of Senator Lane, and by unanimous consent, the Senate agreed to hold an Executive Session on Wednesday, January 24, 1951, at 11:00 o'clock a. m.

**Senate Bills on First Reading**

The following bills were introduced, read first time and referred to the committees indicated:

By Senator Weinert:

S. B. No. 71, A bill to be entitled "An Act to amend Article 1327 of the Revised Civil Statutes of Texas, 1925, so as to authorize employment contracts by a corporation for such period of time as the directors may approve and authorize; and declaring an emergency."

To Committee on Civil Jurisprudence.

By Senator Nokes:

S. B. No. 72, A bill to be entitled "An Act amending Section 15 of House Bill 611, Chapter 562, Page 914, General Laws of the State of Texas, Acts Regular Session, 47th Legislature, 1941, as amended, being Section 15 of Article 695c, Vernon's Texas Civil Statutes; providing for examinations by licensed optometrists as well as ophthalmologists or physicians skilled in the treatment of diseases of the eye for the purpose of establishing blindness for applicants and/or recipients of aid to the needy blind; providing a repealing clause, a saving clause, and declaring an emergency."

To Committee on Public Health.

By Senator Nokes:

S. B. No. 73, A bill to be entitled "An Act amending Section 1 of House Bill 333, Chapter 391, Acts of the Fiftieth Legislature, Regular Session, 1947, defining certain terms, providing that this Act shall be cumulative; and declaring an emergency."

To Committee on Aeronautics.

By Senator Nokes:

S. B. No. 74, A bill to be entitled "An Act providing for the disposition of property and choses in action when there is no sufficient evidence that persons have died otherwise than simultaneously; providing this Act shall not apply to distribution of property of persons who have died before the effective date hereof; limiting the application of this Act; repealing all laws or parts of laws in conflict herewith; providing for severability; and declaring an emergency."

To Committee on Civil Jurisprudence.

By Senator Strauss:

S. B. No. 75, A bill to be entitled "An Act to protect the public health by requiring that all persons licensed to practice the healing art in the State

of Texas must in the professional use of their name identify the system of the healing art which they are licensed to practice; to provide for the enforcement of this Act, and penalties for its violation; repealing all laws or parts of laws in conflict; providing a saving clause; and declaring an emergency."

To Committee on Public Health.

By Senator Kelley of Hidalgo:

S. B. No. 76, A bill to be entitled "An Act authorizing the appointment, by the District Attorney of the 79th Judicial District, of an Assistant District Attorney and an investigator in the 79th Judicial District, fixing the compensation of said investigator and assistant and providing for the manner in which same shall be paid, providing for the powers and duties of said assistant and investigator; authorizing said investigator to serve as probation officer in the 79th Judicial District, containing a saving clause and declaring an emergency."

To Committee on Counties and County Boundaries.

By Senator Carney:

S. B. No. 77, A bill to be entitled "An Act providing for the annexation by petition of unoccupied lands adjacent to cities or towns having a population of not less than one thousand, six hundred and fifty-eight (1,658) persons nor more than one thousand, six hundred and seventy-eight (1,678); and declaring an emergency."

To Committee on Towns and City Corporations.

By Senator Tynan:

S. B. No. 78, A bill to be entitled "An Act to amend House Bill No. 805, Acts of the Regular Session of the Forty-ninth Legislature providing for additional compensation of Judges of District Courts and Criminal District Courts in counties having a population of not less than three hundred and ninety thousand (390,000) nor more than six hundred thousand (600,000) inhabitants, according to the last preceding or any future Federal census; providing the manner of payment thereof; providing that Article 5139, Revised Civil Statutes of Texas of 1925, shall not be repealed except wherein it conflicts herewith, prohibiting, however, the payment of salaries under said article for any

month wherein salaries herein provided are paid; and declaring an emergency."

To Committee on Counties and County Boundaries.

By Senator Bell:

S. B. No. 79, A bill to be entitled "An Act providing for and fixing the salaries of the Justices of the Supreme Court, the Judges and the Commissioners of the Court of Criminal Appeals, the Justices of the Courts of Civil Appeals, and the Judges of the District Courts and of the Criminal District Courts of the State of Texas; repealing House Bill No. 207, Chapter 328, Page 614, Acts, Fifty-first Legislature, and all laws and parts of laws in conflict with this Act; providing a saving clause; and declaring an emergency."

To Committee on State Affairs.

By Senator Vick:

S. B. No. 80, A bill to be entitled "An Act creating a State Board of Examiners in Watchmaking; providing for a title of the Act; providing for State control of the licensing of watchmakers; defining certain words, terms and phrases; requiring certificate of registration before engaging in watchmaking for profit or compensation and displaying of said certificate; providing for the soliciting or receiving any watch, clock, chronometer or time-recording instrument for repair by a registered watchmaker, under certain conditions; fixing the number of members of the State Board of Examiners in Watchmaking; providing for the appointment of the members of said Board, the qualifications for membership on said Board, the term of office, taking the oath required, the method of filling vacancies on the Board; providing for a common seal; providing for the election of officers and the adoption and promulgation of rules by the Board and for the written approval of the Attorney General of Texas of all such rules and amendments and the written approval of the Attorney General in the Secretary of State's Office; providing for the employment of an executive-secretary; the fixing of a salary and the qualifications of said executive-secretary; prescribing duties of the executive-secretary, and for the giving of a bond by the executive-secretary and the payment of the premium; providing for the record and public inspection of the proceed-

ings of the Board; providing for the compensation of the members of the Board and expenses; providing for the establishment and the maintenance of the office of the Board; providing for the payments of all expenses incurred out of fees collected by the Board; prohibiting the payment of any expenses incurred under this Act out of funds of the State of Texas; providing for annual reports to the Governor and the Legislature of receipts and disbursements of said Board under this Act for each calendar year; providing for fees for examinations and the payment thereof; providing for the payment of all fees into the State Treasury to be placed in a special fund to be known as the "Watchmakers' Examination Fund" to be appropriated biennially by the Legislature for the use and operation of the Board in administering, employing personnel, enforcing and carrying out the provisions of this Act; providing for payment of the compensation and expenses of the said Board and personnel; providing for an annual audit by the State Auditor of the records of the Board and the reimbursement of the State Auditor, the expense thereof from the "Watchmakers' Examination Fund"; providing for the conduct of examinations and the methods, times and places of conducting examinations; providing for rules and regulations of the Board governing examinations in practical watchmaking; providing for passing grades and for reexaminations; providing for the filing of applications for examination and for qualifications of applicants; providing for issuance of certificate of regulation as a watchmaker; providing for the issuance of licenses or certificates of registration to persons actually engaged in watchmaking upon the date of the enactment of this law without examinations upon certain conditions and the payment of the fee prescribed; providing for reciprocity with other states, territories and the District of Columbia, upon certain conditions and the payment of the fee prescribed; providing for the expiration and renewal of certificate of registration, the fees therefor; providing for the validity of certificates of registration or licenses throughout the State and prohibiting the assignment or transfer of licenses; providing for the revocation of certificates of registration; providing for the exemption of certain persons from the provisions of this Act; providing

that no municipality shall adopt any ordinances or regulations of the business of watchmaking as that term is defined herein, inconsistent with the provisions of this Act or with any rule or regulations promulgated by the Board under the provisions of this Act; prohibiting the practice of watchmaking without a license or certificate of registration; providing a penalty for engaging in watchmaking without a valid license or certificate of registration; providing that if any section or part of this Act shall be held unconstitutional or invalid, such invalidity shall not affect the remaining portions of this Act; and declaring an emergency."

To Committee on State Affairs.

By Senator Parkhouse:

S. B. No. 81, A bill to be entitled "An Act to amend Title 49, Article 2922 of the Revised Civil Statutes of 1925, as amended; providing for a savings clause and declaring an emergency."

To Committee on Educational Affairs.

#### Message From Governor

The following message received from the Governor today was read and was referred to the Committee on Nominations of the Governor:

Austin, Texas,  
January 23, 1951.

To the Senate of the Fifty-second Legislature:

I ask the advice, consent and confirmation of the Senate with respect to the following appointment:

To be a member of the State Board of Public Welfare for six-year term to expire January 20, 1957, J. Byron Saunders of Tyler, Smith County.

Respectfully submitted,  
ALLAN SHIVERS,  
Governor of Texas.

#### House Concurrent Resolution 14

The President laid before the Senate the following resolution:

H. C. R. No. 14, Designating the first week in April as "Texas Industrial Week."

The resolution was read.

Senator Kelly of Tarrant moved that Senate Rule 44 be suspended and

that H. C. R. No. 14 be considered immediately. The motion prevailed by the following vote:

**Yeas—28**

Aikin	Lock
Ashley	Martin
Bell	McDonald
Bullock	Moffett
Carney	Nokes
Carter	Parkhouse
Colson	Phillips
Corbin	Russell
Fuller	Shofner
Hardeman	Strauss
Hudson	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Wagonseller
Lane	Weinert

**Absent—Excused**

Bracewell	Moore
Hazlewood	

The resolution was read second time and was adopted.

**Resolutions Signed**

The President announced the signing of, in the presence of the Senate, after the captions had been read, the following enrolled resolutions:

H. C. R. No. 1, Providing for Temporary Joint Rules.

H. C. R. No. 8, Amending the Joint Rules of the two Houses so as to add Section 9a, etc.

S. C. R. No. 8, Expressing appreciation of State of Texas to citizens of Newburgh, New York, for picture of General William Goldsmith Belknap.

**Adjournment**

On motion of Senator Hardeman, the Senate at 11:00 o'clock a. m. adjourned until 10:30 o'clock a. m. tomorrow.

**In Memory of**  
**Walter L. Morris**

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Senator Kelly of Tarrant offered the following resolution:

(Senate Concurrent Resolution 10)

Whereas, An All Wise Providence has seen fit to close the illustrious career of the Honorable Walter L. Morris, Judge, 67th District Court of Tarrant County, Texas, by calling him to his Heavenly reward on Saturday, August 5, 1950, and

Whereas, The Honorable Walter L. Morris was born in Erath County, March 12, 1879, having spent his boyhood on a farm two miles west of Granbury, and

Whereas, In the death of Judge Walter L. Morris, Texas witnessed the passing of one whose footsteps marked service in law, civic enterprises, religious councils and public offices, and

Whereas, He was admitted to the Bar at Albany in 1902 and practiced law in Fort Worth; also served as Assistant District Attorney; and in 1932 was elected Judge of the 67th District Court; and

Whereas, He was past president of the Fort Worth Exchange Club, past president of the Downtown Kiwanis Club, and former trustee and governor of the Texas-Oklahoma District of Kiwanis International, and a member of Fort Worth Elks Lodge No. 124 and also past president of Moslah Temple Shrine Patrol and past master of the Albany Masonic Lodge No. 482, and a member of Julian Field Lodge No. 908, now therefore be it

Resolved, By the Senate of the State of Texas, the House of Representatives concurring, that we extend to the members of the esteemed family of this illustrious Texan our deep sense of loss and sincere sympathy in his passing; that we recognize his services; that an enrolled copy of this resolution be furnished his family; and that when the Senate adjourns today it do so in tribute to the memory of Judge Walter L. Morris.

**KELLY OF TARRANT**

The resolution was read.

On motion of Senator Kelly of Tarrant, and by unanimous consent, the resolution was considered immediately and was adopted by a rising vote of the Senate.

## In Memory of Maco Stewart

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Senator Phillips offered the following resolution:

(Senate Concurrent Resolution 11)

Whereas, On Saturday, the 16th day of December, 1950, the Supreme Architect of the Universe in His wisdom called from our midst the Honorable Maco Stewart of Galveston, Texas; and

Whereas, Maco Stewart was a former member of the Texas Legislature, a distinguished Galveston attorney, financier, patriot, and philanthropist; and

Whereas, Maco Stewart, the son of the late Maco Stewart, Sr., and Mrs. Lillian Stewart, was a graduate of Ball High School, ex-student of the old West Military Academy in San Antonio and Culver Military Academy, as well as the University of Texas; and

Whereas, From the philanthropic standpoint, he had a Texanic heart, the word conveying the feeling of the loss to the state of a man who was yet young in years; and

Whereas, Maco Stewart's benefactions were many and especially was he devoted to better care of the sick, as is evidenced by his contributions to the University of Texas School of Medicine and to the county of Galveston for the new mainland hospital; and

Whereas, Maco Stewart was a friend of the schools, and during his tenure as chairman of the State Board of Education the allotments to local schools rose to the highest point ever attained up to that time; and

Whereas, Maco Stewart was an outstanding business man, being one of the State's leading independent oil operators, the head of a local financial institution and of a state-wide title company, as well as the director of the News Publishing Company; and

Whereas, He filled all the years allotted to him with a devoted service to his family, his friends, his community, and his state, being at all times ready and willing to give of his time and his means to help his fellow man; and

Whereas, In the death of Maco Stewart, the State of Texas has lost one of its greatest Texans and useful citizens, whose wise counsel and good judgement, and the influence of an active and public spirited life will be missed by all who knew him; that although "Time laid her hand upon his heart, not smiting it, but as a harper lays his open palm upon his harp to silence its vibrations," so his memory will ever remain with us; and

Whereas, It is the desire of the Senate and the House of Representatives of Texas to recognize and to pay tribute to the services and useful life of this outstanding Texan, Maco Stewart, and to express sympathy to his family; now, therefore, be it

Resolved, By the Senate, the House of Representatives concurring, that we express our sorrow over the passing of this beloved citizen; that a page in the Journal be set aside to his memory; that a copy of this resolution be sent to each surviving member of his family; and that when the Senate and the House stand adjourned today, they do so in respect to the memory of Maco Stewart.

PHILLIPS

Signed: Ben Ramsey, Lieutenant Governor, Aikin, Ashley, Bell, Bracewell, Bullock, Carney, Carter, Colson, Corbin, Fuller, Hardeman, Haslewood, Hudson, Kelley of Hidalgo, Kelly of Tarrant, Lane, Lock, Martin, McDonald, Moffett, Moore, Nokes, Parkhouse, Russell, Shofner, Strauss, Tynan, Vick, Wagonseller, Weinert.

The resolution was read.

On motion of Senator Phillips, and by unanimous consent, the names of the Lieutenant Governor and all members of Senate were added to the resolution as signers thereof, and it was considered immediately.

The resolution was adopted by a rising vote of the Senate.